

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION**

SUSAN NEESE, M.D., *et al.*,

Plaintiffs,

v.

XAVIER BECERRA, *et al.*,

Defendants.

Civil Action No. 2:21-cv-163-Z

**UNOPPOSED MOTION FOR EXTENSION OF PAGE LIMIT FOR
DEFENDANTS' REPLY IN SUPPORT OF THEIR MOTION TO DISMISS**

Defendants respectfully move this Court for an additional five pages for their anticipated reply in support of their motion to dismiss Plaintiffs' First Amended Complaint (ECF No. 16). Defendants' deadline to file the reply is January 18, 2022.

1. Plaintiffs' First Amended Complaint challenges an action by the U.S. Department of Health and Human Services and Defendants' motion to dismiss presents a number of complex issues, including standing, ripeness, final agency action, administrative remedies, and the merits of Plaintiffs' statutory arguments.

2. Defendants believe that a five-page extension is justified by the complexity of the issues presented in Plaintiffs' First Amended Complaint and their opposition to Defendants' motion to dismiss, and also will aid the Court's adjudication of the issues presented. Accordingly, Defendants respectfully request relief from the 10-page limit set forth in Local Rule 7.2(c) and request an additional five pages for their reply.

3. The undersigned has conferred with counsel for Plaintiffs and they do not oppose the requested relief.

Dated January 13, 2021

Respectfully submitted,

BRIAN M. BOYNTON
Acting Assistant Attorney General

MICHELLE BENNETT
Assistant Branch Director

/s/ Christopher D. Dodge
Christopher D. Dodge (MA Bar No. 696172)
Jordan L. Von Bokern
Trial Attorneys
United States Department of Justice
Civil Division, Federal Programs Branch
1100 L Street N.W.
Washington, DC 20005
Telephone: (202) 598-5571
Fax: (202) 616-8460
Email: christopher.d.dodge@usdoj.gov

CHAD E. MEACHAM
UNITED STATES ATTORNEY

Brian W. Stoltz
Assistant United States Attorney
Texas Bar No. 24060668
1100 Commerce Street, Third Floor
Dallas, Texas 75242-1699
Telephone: 214-659-8626
Facsimile: 214-659-8807
brian.stoltz@usdoj.gov

Attorneys for Defendants

Certificate of Conference

This is to certify that I have conferred with counsel for the other parties about the motion, and that the relief requested is unopposed by all parties.

/s/ Christopher D. Dodge
Christopher D. Dodge
Trial Attorney

CERTIFICATE OF SERVICE

On January 13, 2022, I electronically submitted the foregoing document with the clerk of court for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the court. I hereby certify that I have served all parties electronically or by another manner authorized by Federal Rule of Civil Procedure 5(b)(2).

/s/ Christopher D. Dodge

Christopher D. Dodge

Trial Attorney

United States Department of Justice